



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Paul A. Mueller et al.
TITLE : SHELVING SYSTEM
APPLICATION NO. : 10/682,169
FILED : October 9, 2003
CONFIRMATION NO. : 7302
EXAMINER : Alvin C. Chin-Shue
ART UNIT : 3634
LAST OFFICE ACTION : May 4, 2007
ATTORNEY DOCKET NO. : FFRZ 2 00208-3

RESPONSE

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the Communication dated May 4, 2007, it was stated that the reply filed on October 27, 2006 is not fully responsive to the Office Action because the Applicant had restricted the application to the specie of Figure 1 in a telephone conversation with Examiner Tran on September 24, 2004. It was then noted that with the Amendment dated October 27, 2006, there are no claims left in the application which are directed to the specie of Figure 1.

In the Office Action dated October 1, 2004, Examiner Tran noted that Applicant elected to prosecute the invention of species I, i.e., Figures 1-3.

Applicant takes this opportunity to file a divisional application concerning species II, Figures 4, 5, and 6 as noted in the Office Action of October 1, 2004.

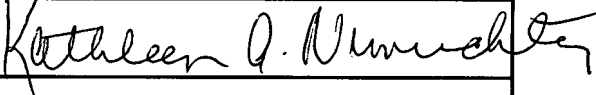
Applicant hereby withdraws the instant application without prejudice, in favor of the divisional application, upon the grant of a filing date to the divisional application.

Respectfully submitted,

FAY SHARPE LLP

July 30, 2007
Date


Jay F. Moldovanyi, Reg. No. 29,678
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
☒ deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
☐ transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: July 30, 2007	Name: Kathleen A. Nimrichter

N:\VFRZ\200208\3A\LAB0005448V001.docx